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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,143	10/16/2003	Billy J. Castleberry	7405	9222

7590 08/30/2006

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EXAMINER

BEAUCHAINE, MARK J

ART UNIT PAPER NUMBER

3653

DATE MAILED: 08/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/688,143	Applicant(s) CASTLEBERRY, BILLY J.	
	Examiner Mark J. Beauchaine	Art Unit 3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/20/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Oath/Declaration

The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02. The oath or declaration is defective because of the following error in the priority section:

The priority reference "09/111,346 should read ""09/111,333".

Appropriate correction is required.

Specification

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

The disclosure is objected to because of the following informality:

The term "4,467,603" (page 2, line 5) should read "6,467,603".

Appropriate correction is required.

Claim Objections

Claims 18 and 20 are objected to because of the following informalities:

The term "The process" (claim 18, line 1) should read "A process".

The term "date" (claim 20, line 5) should read "data".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patent Number 3,147,838 by Mueller et al ("Mueller"). The coin box disclosed by Mueller incorporates upper portion 304 capable of accepting coins and containing an internal control circuitry being capable of identifying the monetary value of the coins (column 7, lines 5-11). Mueller further discloses said circuitry activating plunger 120 to operate arm 92 of a door control mechanism whereby the arm 92 unlocks door 56 of snack dispenser 10. Although Mueller is silent as to a lower portion for accepting and storing coins such coin retention means are inherent in vending apparatus.

Claims 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mueller as applied to claim 2 above, and further in view of Japanese Patent Publication JP-2002-133487-A published 10 May 2002 ("487 publication"). Mueller fails to disclose a set of light pipes. The '487 publication teaches light pipe 5 and light projecting element 4 (see Figure 1) for the purpose of measuring the outside diameter of the coin. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the light pipe of the '487 publication into the coin box of Mueller for the purpose of measuring the outside diameter of a coin inserted into the coin box.

Claims 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mueller in view of the '487 publication as applied to claim 6 above, and further in view of Patent Application Number Publication Number US 2004/0129716 by Naufel et al ("Naufel"). Mueller in view of the '487 publication fails to disclose a data entry device. Naufel teaches a dispensing device comprising data entry device 49 that is capable of activating said device and display 44 capable of displaying a personal identification number. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the data entry device and display of Naufel into the apparatus of Mueller in view of the '487 publication for the purpose of enabling a user to operate said apparatus.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mueller in view of the '487 publication in view of Naufel as applied to claim 10 above, and further in view of Patent Number US 6,206,167 B1 by Taylor et al ("Taylor"). Mueller/'487 publication/Naufel fails to disclose a coin track comprising a curved portion. Taylor teaches coin track 30 comprising a curved portion for the purpose of directing coins downward. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the coin track of Taylor into the apparatus of Mueller/'487 publication/Naufel for the purpose of directing a coin downward.

Claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mueller/'487 publication/Naufel/Taylor as applied to claim 11 above, and further in view of Patent Number 5,176,238 by Deglau ("Deglau"). Mueller/'487 publication/Naufel/Taylor fails to disclose a coin track comprising an upward portion. Deglau teaches an upward portion 33 of a coin track for the purpose of slowing the coin. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the upward portion 33 of Deglau into the apparatus of Mueller/'487 publication/Naufel/Taylor for the purpose of slowing a coin.

Claims 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mueller/'487 publication/Naufel/Taylor/Deglau as applied to claim 14 above, and further in view of Patent Number 5,980,089 by Weis ("Weis"). Mueller/'487 publication/Naufel/Taylor/Deglau fails to disclose a remotely operated infrared

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communication device. Weis teaches a currency apparatus 102 incorporating an infrared communication link (column 3, lines 4-9) for the purpose of downloading information. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the infrared communication link of Weis into the apparatus of Mueller/'487 publication/Naufel/Taylor/Deglau for the purpose of downloading information.

Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mueller in view of Weis. Mueller teaches a coin box that is operated by installing coin box 304 having internal control circuitry into snack dispenser 10. The control circuitry operates door control mechanism 118. Mueller fails to disclose a remote communication device. Weis teaches remote electronic communication device (column 3, lines 4-9) for the purpose of uploading and downloading information. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the remote electronic communication device of Weis into the operation of Mueller for the purpose of uploading and downloading information.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mueller in view of Naufel. The coin box disclosed by Mueller incorporates means for accepting a coin 303, determining the monetary value of the coin (column 7, lines 5-11) and means for activating a door control mechanism 118. Mueller fails to disclose means for entering or displaying a personal identification number (PIN). Naufel teaches a

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dispensing apparatus comprising means for entering and displaying a PIN 49 and 44, respectively for the purpose of permitting a person to operate the apparatus. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the entering and displaying means of Naufel into the apparatus of Mueller for the purpose of permitting a person to operate the apparatus.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark J. Beauchaine whose telephone number is (571)272-6934. The examiner can normally be reached on 8:00AM through 5:00PM Mondays through Thursdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick H. Mackey can be reached on (571)272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

mjb



**PATRICK MACKEY
PRIMARY EXAMINER**